

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

UNITED STATES OF AMERICA,)	
)	Case No. 4:17-CR-9
v.)	Judges Collier/Lee
)	
MARK C. BRYANT)	

FACTUAL BASIS FOR PLEA

Comes now the United States of America by and through United States Attorney Nancy Stallard Harr, and Assistant United States Attorney James T. Brooks, and submits the following summary of the government's evidence in support of defendant's plea to Count One of the information:

In support of the defendant's guilty plea, the defendant agrees and stipulates to the following facts, which satisfy the offense elements. These are the facts submitted for purposes of the defendant's guilty plea. They do not necessarily constitute all of the facts in the case. Other facts may be relevant to sentencing. Both the defendant and the United States retain the right to present additional facts to the Court to ensure a fair and appropriate sentence in this case.

In September 2016, law enforcement officials determined that a specific IP address was associated with files containing child pornography. Through administrative subpoenas, law enforcement officers determined that the IP address was assigned to a Comcast account in the name of the defendant in Estill Springs, Tennessee, which is in the Eastern District of Tennessee. Officials determined that the same account was using a peer-to-peer account, which enabled officers to remotely download files from the defendant's computer that contained images of child pornography. On October 10, 2016, officers secured a search warrant for the defendant's

computer and, pursuant to the warrant, searched the defendant's computer the next day, October 11, 2016. The search of the defendant's computer ultimately revealed images of child pornography, including images of minor children engaged in sexually explicit conduct. On the same day, October 11, 2016, officers interviewed the defendant who admitted that he had downloaded child pornography at his home and onto his computer in Estill Springs. The defendant admits, for the purpose of this plea agreement that he knew that several of the images he downloaded depicted minors engaged in sexually explicit conduct.

The defendant admits that he used the properties listed below to commit the offense described above. Accordingly, the properties are forfeitable pursuant to 18 U.S.C. § 2253.

Electronic Equipment

- a. Dell Laptop Computer Service Tag# C42CYF1
- b. Western Digital SATA 500GB HDD SN: WX61A8504NJA
- c. Western Digital SATA 500GB HDD SN: WXQ1EB5EJ1LX
- d. Verbatim 700MB CD-R
- e. Lexar 64GB USB Flash Drive
- f. Toshiba 3TB External Storage Drive SN# 65DAT2METPDC
- g. Sandisk Cruzer 2GB USB Flash Drive
- h. Sandisk Ultra 128GB USB Flash Drive
- i. Memorex 700MB CD-R
- j. Memorex 4.7GB DVD-R Labeled "Kim Christie's Corporate Corruption"
- k. Memorex 4.7GB DVD-R Labeled "Emmanuelle 4"
- l. Memorex 4.7GB DVD-R Labeled "Shemale Cherry Busters"
- m. USB Flash Drive with SIM&S on cover
- n. Sandisk Cruzer 2GB USB Flash Drive
- o. USB Flash Drive with SIM&S on cover
- p. Seagate SATA 80GB HDD SN: 5LY1K5TJ
- q. HGST SATA 500GB HDD SN: 3J3EYLZL
- r. Toshiba 3TB External Storage Drive SN: 65DAT32JTPDC
- s. Sandisk Cruzer Glide 128GB USB Flash Drive
- t. Sandisk Cruzer Glide 64GB USB Flash Drive
- u. Lexar 32GB USB Flash Drive
- v. 8GB USB Flash Drive
- w. Sandisk Cruzer Micro 1GB USB Flash Drive
- x. USB Flash Drive with SIM&S on cover
- y. Lexar 64GB USB Flash Drive

- z. Sandisk Cruzer Glide 64GB USB Flash Drive
- aa. Sandisk Cruzer Glide 64GB USB Flash Drive
- bb. Emtec 64GB USB Flash Drive
- cc. Sandisk Cruzer Ultra 128GB USB Flash Drive
- dd. Samsung SM-G900V
- ee. Seagate 500 GB HDD SN: Z3TW74N7

ELEMENTS OF THE OFFENSE

Count One

18 U.S.C. 2252(a)(4)(B)

1. The defendant knowingly possessed one or more matters which contained any visual depiction of a minor engaged in sexually explicit conduct; and
2. Such visual depiction had been mailed, shipped, or transported in interstate or foreign commerce, by any means, including by computer; and
3. The production of the visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct; and
4. The defendant knew that the visual depiction involved the use of a minor engaging in sexually explicit conduct.

PENALTIES

Count One

The defendant faces a maximum possible term of imprisonment of up to 10 years and a maximum fine of up to \$250,000, supervised release for at least 5 years to and to life, any lawful restitution, a special assessment, and forfeiture.

Respectfully submitted,

NANCY STALLARD HARR
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on May 12, 2017, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. All other parties will be served by regular U.S. mail.

s/ James T. Brooks
James T. Brooks
Assistant U.S. Attorney